

REMARKS

Reconsideration and allowance are respectfully requested.

I. Status of the Claims

Claims 1 and 7 have been cancelled.

Claims 2-6, 8, 10-17, 21-26, 29, and 31-42 have been amended and the amendments do not add new matter. Specifically, claims 5 and 13 have been rewritten in independent form. Claims 2-4, 6, 8, 10-12, and 14 have been amended to recite the proper dependency. Claims 15-17, 21-26, 29, 31, 32, 34, 35, 37, 40, and 42 are amended for grammatical reasons and not for reasons of patentability. Claims 33 and 38 have been amended to recite the feature of “filtering errors” and support can be found, e.g., in claim 5 as originally presented. Claims 34, 36, 39, and 41 have been amended to clarify where the error message in these embodiments is received.

Claims 2-6, 8-42 are pending in the application.

Claims 1 and 26 have been objected to for informal matters. Claim 1 has been canceled and claim 26 has been amended pursuant to the Examiner’s suggestion. Applicants request that the objection be withdrawn.

II. Acknowledgment of Allowable Subject Matter

Applicants would like to thank the Examiner for allowing claim 32 and for the indication of allowable subject matter in claim 25.

III. Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4-8, 12-15, 17, 22, 24, 26, 33, 34, 36, 38, 39, and 41 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,000,046 to Passmore. The Examiner states that Passmore discloses all of the elements of the claimed invention, including prioritizing an error relative to other errors not yet resolved, filtering errors that require a different level of response, and providing an assistance option to a system element. Applicants have cancelled claims 1 and 7 and thus have rendered the rejection to these claims moot.

Applicants respectfully traverse the above rejection because Passmore does not teach or disclose every element of the claims. Claims 4, 12, 22, 26, 36, and 41 recite the feature of “prioritizing errors”. Claims 5 and 13 have been amended to be in independent form and along with claims 26, 33, 36, 38, and 41 recite the features of “filtering errors” or “applying an error filter.” These claimed features are not taught or suggested in Passmore

The Specification describes “filtering” as when “the central resource filters errors according to the types of response or remedy required. Such filtering is accomplished by an error filter ... [and] the filter may separate out those errors that cannot be resolved without some physical change or human intervention.” Specification, page 10, lines 18-21. Claims 5, 13, 26, 36, and 41 require the step of filtering the errors to sort which errors require different responses. For example, a number of errors may be received in which the software can correct a majority of the errors. The remaining errors must be handled by a human operator. Additionally, “an error that requires another system element to take action to resolve the issue may be redirected to the other system.” Specification, page 11, lines 2-4.

In contrast, Passmore does not filter errors. Passmore only teaches and suggests presenting the first error first. “[S]ince all error messages are displayed by the error processor, the

the term “system element” as “broad range of computer programs and sub-systems ... [including], for example, applications programs, sub-programs, operating systems, communication protocols, and drivers for peripherals” Specification, page 3, lines 15-18. Passmore does not disclose or suggest dispatching assistance to a system element. Passmore discloses transmitting an error message to every user on every terminal connected to the network.

[A]fter entry, block 502 retrieves the error message sent by the error process 210 or 212. Block 504 then formats this error message for display to the user, block 505 finds a reference in the help system for the message and inserts it into the message, and block 506 sends the formatted message to the error GUI 208 (FIG. 2), where the message is displayed to the user ... [and] the error messages are displayed on all computers when one computer has a problem.

Passmore, column 5, lines 28-34 and column 2, lines 35-37. Passmore does not discriminate: every computer on the network is notified of the error. Passmore differs from the claims, which recite sending assistance to the system element, because “components provide assistance and/or resolve the error by sending ... an appropriate response or instruction to the system element.” Specification, page 5, lines 9-11. Thus, instructions are sent directly to the element to assist in correcting the error. This also differs from Passmore, which just notifies every user of an error.

Thus, Passmore does not filter or prioritize errors and does not dispatch assistance to the systems elements as recited in the claims. Also, claims 2, 6, 14, and 24 all depend from independent claims 5, 13, and 15 and are allowable based on their dependency to the independent claims and their own recitation. Applicants respectfully request that the above rejections be withdrawn.

IV. Rejections under 35 U.S.C. § 103

Claims 3, 11, and 27 stand rejected under 35 U.S.C. § 103(a) as obvious over Passmore and the Examiner's statement of ordinary skill in the art. The Examiner states that Passmore does not teach or disclose locating an alternative resource for a failed resource. The Examiner takes official notice that locating an alternative resource for a resource is, for example, a failover system and that one of ordinary skill in the art at the time the invention was made would implement a failover system. Claims 9, 10, 16, 18, 21, 23, 28, 29, and 31 stand rejected under 35 U.S.C. § 103(a) as obvious over Passmore in view of U.S. Patent No. 5,666,481 to Lewis. Claims 19 and 30 stand rejected under 35 U.S.C. § 103(a) as unpatentable for obviousness over Passmore in view of U.S. Patent No. 5,983,364 to Bortcosh et al. ("Bortcosh"). Claims 20, 35, 37, 40 and 42 stand rejected under 35 U.S.C. § 103(a) as obvious over Passmore in view of U.S. Patent No. 5,748,880 to Ito et al. ("Ito"). Applicants traverse the above rejections.

Claims 3, 9-11, 16, 18-21, 23, 27-31, 35, 37, 40 and 42 all depend from the independent claims rejected above and the arguments above, as they pertain to Passmore, are applicable in traversing this rejection.

Additionally, Lewis, Bortcosh, and Ito do not fill the gaps between the elements of the claims and the teachings of Passmore. Lewis does not teach or suggest the elements lacking from Passmore and present in the independent claims. Lewis only sorts his trouble tickets in relation to previously known and completed trouble tickets and can not sort a new error. *See*, Lewis, e.g. column 8, lines 34-54. The errors are only sorted in increasing similarity to stored trouble tickets. Thus, Lewis can only sort error messages; he cannot prioritize the error messages or filter the errors requiring a different level of response.

Bortcosh does not teach or suggest the elements lacking from Passmore and present in the independent claims. Bortcosh discloses a method and apparatus for diagnosing a single

problem. Bortcosh is aware that his system can be informed “that there is one or more problems to be diagnosed” but only provides “an overview of the process of diagnosing and correcting a problem, once it has been identified.” Bortcosh, column 3, lines 14-15 and 24-25. Thus, Bortcosh is silent on how he handles multiple problems.

Ito does not teach or suggest the elements lacking from Passmore and present in the independent claims. Ito discloses a “computer-supervising system.” Ito’s system provides a central system to monitor other networked computers. *See*, Ito, column 2, lines 7-45. However, Ito does not prioritize, or transmit assistance to the system element from which the error event originated. Ito just displays an error message on a screen for “an operator attending on the terminal unit 11 ...[can select] a display zone (or row) of an error message on a fault ... [for carrying] out recovery operations.” Ito, column 5, lines 34-36. Thus, Ito’s error messages corresponding to respective faults are displayed together ... and a recovery procedure ... [is] selected by the operator.” Ito, column 8, lines 4-7.

Thus, Applicants respectfully request withdrawal of the above rejection.

